

CORRES. CONTROL
OUTGOING LTR NO.

DOE ORDER #

05 RF 00907



95-RF-00907

OGC-114-05

September 22, 2005

Mr. John Rampe
Director, Closure Project Management
Rocky Flats Project Office
12101 Airport Way, Unit A, Bldg. MV72
Broomfield, CO 80021-2583

RFPO'S ASSESSMENT OF THE ROCKY FLATS ENVIRONMENTAL TECHNOLOGY
SITE'S ADMINISTRATIVE RECORD - CORRECTIVE ACTION PLAN

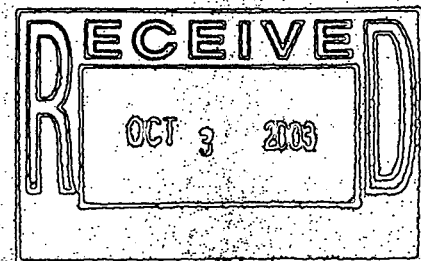
Dear Mr. Rampe:

In response to your letter of August 23, 2005, attached is the Corrective Action Plan to address the findings of RFPO's Assessment of the CERCLA Administrative Record, which Kaiser-Hill is required to maintain under the Closure Contract. The Corrective Action Plan reflects discussions we have had with your staff. Deliverables will be provided as noted in the Plan.

Please feel free to contact me at extension 3722 if you have any questions or require further information.

Sincerely,

Carol A. Deck
Corporate Counsel



ADMIN RECORD

DIST.	LTR	ENC
CROCKETT, G.A.		
FERRERA, D.W.		
GIACOMINI, J.J.		
GILPIN, H.E.		
LINDSAY, D.C.		
LONG, J.W.		
SHELTON, D.C.		
TUOR, N.R.		

BROOK, L. X X

COR. CONTROL	X	X
ADMN. RECORD	X	X
WASTE REC. CTR		
TRAFFIC		
PATS/130		

CLASSIFICATION:	
UCN	
UNCLASSIFIED	
CONFIDENTIAL	
SECRET	

AUTHORIZED CLASSIFIER

NA

Date

IN REPLY TO RFP CC

NO:

00434-RF05

ACTION ITEM STATUS

☐ PARTIAL/OPEN

☒ CLOSED

LTR APPROVALS:

ORIG & TYPIST INITIALS

CAO: CAO

Revision 09/02

cc:

D. Hicks, RFPO

L. Brooks, K-H

Kaiser-Hill Company, LLC

Rocky Flats Environmental Technology Site, 12101 Airport Way, Unit B, Broomfield, CO 80021-2583 • 303-966-7000

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IA-A-002849

Corrective Action Plan for CERCLA Administrative Record

September 23, 2005

Summary

The Rocky Flats Environmental Technology Site's CERCLA Administrative Record (AR) will be the primary means to document the cleanup decisions taken at the Site and to show compliance with CERCLA requirements.

The Rocky Flats Project Office (RFPO) recently assessed the AR's compliance with the applicable requirements of the following:

- CERCLA
- Rocky Flats Cleanup Agreement (RFCA)
- EPA's OSWER Directive No. 9833.3A-1, *Final Guidance on Administrative Records for Selecting CERCLA response Actions*
- RFETS Site Procedure 1-F78-ER-ARP.001, Rev. 2, *CERCLA Administrative Record Program*

Eleven findings of the assessment required corrective action. They are addressed below.

Findings and Corrective Actions

RFPO-05-0005-F-1

The RFPO did not clearly identify an Administrative Record Coordinator (ARC) for a period of approximately two years (~2002-2004). Therefore, the RFPO oversight of the RFETS CERCLA Administrative Record Program (1-F78-ER-ARP.001 Rev.2) was limited during this time. (This concern is mitigated by the fact that the program was mature and individuals involved in the AR process were familiar with their responsibilities.) Specific concerns include: How did RFPO evaluate the K-H administration and maintenance of the AR system during this time? Did responsible RFPO staff understand AR requirement? Was training available to RFPO staff and support services contractors regarding AR requirements?

Corrective Action F-1

<u>Summary:</u>	RFPO will be responsible for any corrective actions for this finding.
<u>Task Manager:</u>	N/A
<u>Deliverable:</u>	N/A
<u>Due Date:</u>	N/A

RFPO-05-0005-F-2

The electronic AR records are not "user friendly." The system is ineffective in retrieving documents with either known titles or known dates and some specific documents could not be easily searched. They are filed in sequence of documents entered into the system. The file folders are coded with numbers and users have to know the index to search for the exact documents. The electronic version of the AR is now the publicly available version and must be accessible and readable. Also, after the Site is closed and all knowledgeable officials and support contractors from RFETS leave the Site, it will be hard for new personnel to retrieve specific documents electronically.

Corrective Action F-2

Summary: Source One has changed and improved the electronic access to AR records. Images will be available in pdf format and will be searchable. The new system is scheduled to be available over the internet at the end of September.

Task Manager: Kim Smart / Gary Wolfe

Deliverable: User-friendly web-based AR access.

Due Date: September 30, 2005.

RFPO-05-0005-F-3

There were a number of individual AR deficiencies identified during the review. The specific AR deficiencies should be corrected and the AR program should be evaluated to identify corrective actions to mitigate these deficiencies.

1. All of the file boxes examined from the Building 779 AR had files that were out of order; it appears that the files have been shuffled as a result of the reproduction process for the digital AR. It is unclear how K-H ensured that files removed from the AR were returned to the AR after reproduction.

Corrective Action F-3.1

Summary: AR records filed in boxes will be placed in alpha-numeric order within the box as they are processed for long-term storage. Processing of the boxes began the week of September 5, 2005. After arranging each box in alpha-numeric order, the document numbers will be compared to a master list of documents generated from the AR index to ensure completeness.

Task Manager: Kim Smart / Mike Wolfe

Deliverable: N/A

Due Date: September 30, 2005 for B779 boxes; on-going as remainder are processed for long-term storage.

2. An index of documents in the complete Administrative Record files did not accompany each update to the Administrative Record files. Distribution of the annual index update was not evident.

Corrective Action F-3.2

Summary: In the past, the microform version of the Administrative Record was updated quarterly and the index was updated annually. The annual index update was distributed in August of each year to EPA, CDPHE, and the Rocky Flats Reading Room at Front Range Community College. Prior to 2004, the index was also delivered to the offices of the Rocky Flats Citizens' Advisory Board. Each recipient signed an acknowledgement that the index had been received. This acknowledgement was provided annually to RFPO and sent to Correspondence Control and included in the Administrative Record. Please see attached example dated September 1, 2004.

Task Manager: N/A

Deliverable: N/A

Due Date: N/A

3. The OU-3-A-000491 database says "CAD ROD;" actually it is EPA comments on Draft CAD ROD and the transmittal letter is buried in the comments.

Corrective Action F-3.3

Summary: The title of the document will be corrected.

Task Manager: Kim Smart

Deliverable: Confirmation of correction to RFPO.

Due Date: September 30, 2005

4. File OU-3-A-00054 contained the wrong title in the database.

Corrective Action F-3.4

Summary: The title of the document will be corrected.

Task Manager: Kim Smart

Deliverable: Confirmation of correction to RFPO.

Due Date: September 30, 2005

5. In the Site AR Program procedure, Section 5.2, Submission of Potential CERCLA AR Documents, [4] requires that documents being submitted to the AR are unmarked, legible, and signed as applicable unless otherwise directed by the DOE ARC.

- During this assessment, several documents in the CERCLA AR were of very poor reproduction quality (e.g., poor copying, canted copies, legibility, etc.). The quality issue was apparent for older legacy documents and the trend to include less than good quality documents continues to date.
- Document OU 03-A-000523 is a copy with a sticky note attached, rendering the message illegible.
- Several scanned graphs were illegible (e.g., OU 03-A-000568).
- Some scanned memos were illegible (e.g., OU 03-A-000568). The original copy from the official record was also found to be illegible; however, no attempt was made to request for a better copy for the official file.
- Document number A-OU0-000597 is a "marked-up" draft of comments provided on the Proposed 881 - Hillside French Drain Project Final Biological Survey Report.

Corrective Action F-3.5

Summary: We will attempt to locate clean and legible copies of these documents listed above and replace the other copies currently in the Administrative Record. If better copies cannot be located, we will state that these are the best available copies.

Task Manager: Kim Smart

Deliverable: Confirmation of better copies of documents found and included in AR; or conclusion that the documents currently in the AR are the best available.

Due Date: October 21, 2005.

6. During the team's review of document number I101-A-000331, *Draft Closeout Report for IHSS Solar Evaporation Ponds*, it was noted that Appendix C of the document that was included in the report as a CD was not present. A cross-reference to the CD or a paper version of its contents should be included with the document in the AR. The migration and preservation of special mixed media in

the AR is a concern to DOE. Because the retention of the record copy of the AR is 75 years or longer, Kaiser Hill should provide DOE with a plan for the migration and preservation of this valuable material.

Corrective Action F-3.6

Summary: The CD containing Appendix C of the Draft Closeout Report for IHSS Solar Evaporation Ponds will be located and confirmed to be available through the AR.

Pursuant to the regulations of the National Archives and Records Administration, 36 CFR §1220, et seq., subchapter B, CDs are an appropriate media on which to store federal records. It is believed that CDs referenced in the AR contain only sampling and testing data. EPA regulations state that sampling and testing data, among other information, need not be present at the central location of the AR, provided that the AR file indicates the location and availability of the information. See 40 CFR §300.805.

As part of this corrective action, Source One will perform a search of the AR contents to confirm that all CDs and other media referenced in the AR documents have been located and are available for review. It will also be confirmed that there are entries for CDs and cross-references to all CDs in the AR paper records and web-based system, along with information about the location and availability of the CDs. The CDs will be stored together and available for review on request.

Producing a comprehensive plan for migration of data to other media forms in the long-term future is not part of Kaiser-Hill's responsibilities under the Closure Contract. RFPO and/or DOE/LM may wish to contract with Source One or another company to recommend ways to migrate and preserve electronic data in the AR.

Task Manager: Kim Smart / Mike Wolfe

Deliverable: Confirmation will be given to RFPO when this task is completed.

Due Date: October 21, 2005

7. Document number BZ-A-000737 is the final Interim Measure/Interim Remedial Action for IHSS Group 900-11 (903 Lip Area and Vicinity Operable Unit 1 881 Hillside). This document includes a reference to a Regulatory Contact Record, comment resolution meeting minutes dated December 18, 2003; however, this document was not found in the AR by the assessment team members.

Corrective Action F-3.7

Summary: This Contact Record was located and included it in the Administrative Record on September 19, 2005.

Task Manager: Carol Deck

Deliverable: Confirmation that document was located and included in the AR.

Due Date: Completed.

8. Separate Index for each closed Operable Unit (OU) was not completed. There were 5 closed OUs, but the indexes for all of them were not evident. The OU-3 AR index attachment transmitted by Gail Hill (OU03A 000527; April 8, 1997) could not be found. Two attachments that were located with the transmittal letter identified documents to be added to AR. Four of the identified documents to be added could not be located. The missing (OU-3) pieces of this particular correspondence are raised to the level of a Finding because RFETS intends to initiate the process of delisting OU-3 from the National Priorities List before delisting the remainder of RFETS.

Corrective Action F-3.8

Summary: The OU-3 AR index was located by Mr. Birk and will be sent to the Administrative Record. After further discussion between RFPO and K-H staff, it was determined that the missing documents were either originated or received by RFPO staff, not Kaiser-Hill. RFPO will locate the missing documents and send them to the Administrative Record.

The electronic version of the AR will function as the index for each closed OU.

Task Manager: Dave Hicks / Bob Birk

Deliverable: N/A

Due Date: N/A

RFPO-05-0005-F-4

The Site AR index does not list guidance documents, technical literature, or reference materials. These documents should be listed in the AR index in accordance with the following requirements.

- A "Compendium of CERCLA Response Selection Guidance Documents" is not found as part of the administrative record. Guidance documents, or portions of guidance documents, that are considered or relied on in selecting a CERCLA response action need to be part of the administrative record file. The term "guidance" does not imply that only guidance documents are included. The documents may also be policies, memoranda, clarifications, case studies, manuals, handbooks, reports, and other documents used in the selection of the CERCLA response actions.
- Section II E.2, Technical Literature, indicates "Publicly available technical literature that was not generated for the site at issue (e.g., an engineering textbook), does not have to be located in the regional office or other

central location or at or near the site. The document must be clearly referenced in the (CERCLA AR) index."

- Section 5.1, Identifying Potential CERCLA AR Documents, [4] requires that documents included in a decision document reference section must be included in the project-specific AR file unless otherwise excluded by Appendix 2.

On the basis of the review of the AR, the AR index, RFETS Site Procedure 1-F78-ER ARP.001, Revision 2, and conversations with Kaiser Hill staff, it does not appear that technical literature used in remedial decisions are referenced in the AR index. During this assessment, several documents that were identified as references in critical decision documents were not found in the AR file.

Corrective Action F-4

Summary: Technical and guidance documents need not be included in the Administrative Record or listed in the AR index if they are listed in the bibliography of a document already included in the AR. See *OSWER Directive 9833.3A-1, Final Guidance on Administrative Records for Selecting CERCLA Response Actions*, December 3, 1990, secs. III.I and III.J. However, a review of the bibliographies of the major RFCA decision documents indicates that references to some guidance and technical documents used to support the decision document may have been omitted, particularly guidance from the Colorado Department of Public Health and Environment. We will contact document authors and review bibliographies of major decision documents to identify any technical or guidance documents that may have been omitted. A list of these documents, or the documents themselves, will be added to the AR index.

Task Manager: Carol Deck

Deliverable: Confirmation that review is completed and submit list of additional technical and guidance documents to AR.

Due Date: October 28, 2005.

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CORRES. CONTROL
OUTGOING LTR NO.

DOE ORDER #

04 RF 00905



DIST.	LTR	ENC
DIETER, T. J.		
FERRERA, D.W.		
LINDSAY, D. C.		
LONG, J.		
LYLE, J. L.		
MARTINEZ, L.A.		
TUOR, N.R.		
SHELTON, D.C.		
SPEARS, M.S.		
PIZZUTO, V. M.		

September 1, 2004

04-RF-00905

Robbins, J	x	x
mart, K	x	x
Brooks, L	x	x

Mr. Joseph A. Legare
Assistant Manager for Environment and Infrastructure
US Department of Energy, Rocky Flats Project Office
MV72

ANNUAL UPDATE OF THE ADMINISTRATIVE RECORD—LMB-005-04

Dear Mr. Legare:

The Kaiser-Hill Company, LLC is required to maintain administrative record files for ongoing projects, create and maintain separate administrative record files for each project initiated in fiscal year 2004 and to deliver the administrative record files to the public repositories. All work associated with the administrative record for FY04 was completed on August 26, 2004.

Please contact me at extension X6130 if you have any questions concerning this matter.

Sincerely,

A handwritten signature in cursive script that reads "Laura Mikolowsky Brooks".

Laura Mikolowsky Brooks
Environmental Systems & Stewardship
Kaiser-Hill Company, LLC

COM FILE	x	x
FOR CONTROL	x	x
ADMIN RECORD	x	x
WASTE REC. CTR		
TRAFFIC		
ATS/130		

CLASSIFICATION:	
ICNI	
UNCLASSIFIED	
CONFIDENTIAL	
SECRET	

AUTHORIZED CLASSIFIER
Exempt from Classification
Per CEX-105-01

Date

LMB/sle

IN REPLY TO RFP CC
IO:

Attachment:
As Stated

ACTION ITEM STATUS

cc:

] PARTIAL/OPEN

F. Lockhart (DOE, RFPO)

] CLOSED

TR APPROVALS:

ORIG & TYPIST INITIALS

Kaiser-Hill Company, LLC
Rocky Flats Environmental Technology Site, 10808 Highway 93, Unit B, Building No. 850, Golden, CO 80403-8200
(303) 966-7000

Handwritten initials, possibly "JL" or "JLH", in the bottom left corner.

SITE REVENUE RECONCILIATION
Document Transmittal Acknowledgment

U. S. DEPARTMENT OF ENERGY
ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE

CERCLA ADMINISTRATIVE RECORD FILE INDEX

DOCUMENT TRANSMITTAL ACKNOWLEDGMENT -

This form accompanies the deposit of the DOE/RFFO Administrative Record Index.

DELIVERED BY:

Jan Robbins

(Subcontractor Administrative Record Coordinator)

DATE OF DELIVERY:

AUGUST 26, 2004

U.S. Environmental Protection Agency (EPA)

Superfund Records Center

999 18th Street, 5th Floor, North Tower

Denver, Colorado 80202 -

(303) 294 - 7691

Contact:

Lynne Farnsworth

Colorado Department of Public Health & Environment (CDPHE)

4300 Cherry Creek Drive South

Denver, Colorado 80222 -

(303) 692 - 3312

Contact:

Cris Pretko

Rocky Flats Reading Room, Front Range Community College (FRCC)

3645 W. 112th Avenue (College Hill Library)

Westminster, Colorado 80030 -

(303) 469 - 4435

Contact:

(AT LUNCH)

Internal Track Number: 156

ANNUAL